

Date: November 30, 2006

Attorney Docket No.: 100717-683-WCG

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| Applicants | : | Axel EBLE, et al. |
| Serial No. | : | 10/577,608 (Intl Application No. PCT/EP2004/01187) |
| Filed | : | April 27, 2006 (Intl Filing October 19, 2004) |
| For | : | SOLID ACTIVE INGREDIENT FORMULATION |
| Art Unit | : | TBA |
| Examiner | : | TBA |

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**RESPONSE TO NOTIFICATION OF
MISSING REQUIREMENTS UNDER 35 USC 371**

SIR:

This is in response to the Notification of Missing Requirements dated November 9, 2006 in the above-identified application. A copy of said Notice is attached hereto.

It is respectfully requested that the enclosed declaration submitted herewith be joined up with the papers previously filed in this Application.

Applicant is:

☐ a small entity

☒ other than a small entity

It is requested that the surcharge for the filing of the Declaration be charged to the undersigned's Deposit Account No. 14-1263.

Please charge:

☐ \$ 65.00 for small entity

☒ \$130.00 for other than small entity.

CONDITIONAL PETITION FOR EXTENSION OF TIME

If any extension of time for this response is required, applicant requests that this be considered a petition therefor. Please charge the required Petition fee to Deposit Account No. 14-1263.

ADDITIONAL FEE

Please charge any insufficiency of fees, or credit any excess to our Deposit Account No. 14-1263.

Respectfully submitted,

NORRIS, McLAUGHLIN & MARCUS, P.A.

By /William C. Gerstenzang/
William C. Gerstenzang
Reg. No. 27,552

WCG/zs
Encs. - executed Declaration

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New York, New York 10022
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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
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| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
|-----------------------------|-----------------------|------------------|
| 10/577,608 | Axel Eble | 100717683WCG |

27386
 NORRIS, MCLAUGHLIN & MARCUS, P.A.
 875 THIRD AVE
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| INTERNATIONAL APPLICATION NO. | |
|-------------------------------|---------------|
| PCT/EP04/11807 | |
| I.A. FILING DATE | PRIORITY DATE |
| 10/19/2004 | 10/31/2003 |

CONFIRMATION NO. 5340

371 FORMALITIES LETTER



CC000000021173325

Date Mailed: 11/09/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 04/27/2006
- English Translation of the IA filed on 04/27/2006
- Copy of the International Search Report filed on 04/27/2006
- Preliminary Amendments filed on 05/15/2006
- Information Disclosure Statements filed on 09/07/2006
- Request for Immediate Examination filed on 04/27/2006
- U.S. Basic National Fees filed on 04/27/2006
- Priority Documents filed on 04/27/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

CHARITTA A BURT

Telephone: (703) 308-9140 EXT 207

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/577,608 | PCT/EP04/11807 | 100717683WCG |